

3 FAM 2240

FOREIGN SERVICE OFFICER CAREER CANDIDATE PROGRAM

(CT:PER-715; 12-09-2013)
Office of Origin: HR/CDA)

3 FAM 2241 GENERAL PROVISIONS

3 FAM 2241.1 Authority

(CT:PER-715; 12-09-2013)
(State Only)
(Applies to Foreign Service Employees)

The authorities include sections 105, 211, 301, 302, 303, 306, 307, 309, 404, 502, 601, 602, 603, 605, 610, 611, **612**, 2102, and 2106 of the Foreign Service Act of 1980 (hereinafter referred to as the Act).

3 FAM 2241.2 Purpose

(TL:PER-302; 11-9-95)
(State Only)
(Applies to Foreign Service Employees)

The Foreign Service Officer Career Candidate Program is a comprehensive program of appropriate training, assignment, evaluation, counseling, and review intended to enable candidates for career status as Foreign Service Officers to demonstrate through on-the-job experience, and in the shortest time practicable, whether they have the potential to serve successfully across the normal career span of a Foreign Service Officer (extending to and including class FS-01).

3 FAM 2241.3 Applicability

(CT:PER-715; 12-09-2013)
(State Only)
(Applies to Foreign Service Employees)

These regulations apply to:

- (1) **Entry-level** Foreign Service Officer career candidates who have been appointed under the authority of 3 FAM 2210. Such candidates are appointed to classes FS-06, 05, or 04. Such appointments will be limited

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to a maximum of 5 years;

- (2) Mid-level Foreign Service Officer career candidates who have been appointed under the authority of 3 FAM 2210 for a period not to exceed 5 years. Such candidates are appointed to classes FS-03, 02, or 01; and
- (3) Foreign Service Officer career candidates in the Mustang *Program*, who have been appointed under the *authority* of 3 FAM 2210.

3 FAM 2241.4 Definitions

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

For purposes of this subchapter and 3 FAH-1 H-2240, the following definitions will apply:

- (1) **Officer candidate:** All candidates covered in 3 FAM 2241.3;
- (2) **Entry-level candidate:** All Foreign Service Officer candidates in the categories covered by 3 FAM 2241.3, subparagraphs (1) and (3);
- (3) **Tenure:** Granting of career status; and
- (4) **Commissioning:** Act of appointment by the President and a confirmation by Senate of a candidate who has been recommended for tenure as a Foreign Service Officer by the Commissioning and Tenure Board, hereinafter called the Board.

3 FAM 2242 ASSIGNMENT PROCEDURES

3 FAM 2242.1 Responsibilities

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

The Office of Career Development and Assignments (HR/CDA) makes assignments for officer candidates as follows:

- (1) The first assignment of an officer candidate is identified by the Career Development Officers (CDO) during the candidate training program at the National Foreign Affairs Training Center (NFATC);
- (2) Career Development Officers also identify the second assignment of an officer candidate; and
- (3) These initial two assignments will be in accordance with tenuring requirements and other objectives of the career candidate program. In subsequent assignments, officer candidates participate in the open

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assignments bidding process. *In rare cases, such as when an officer has served a one-year assignment instead of the normal two-year assignment, HR/CDA may direct the officer to a third entry-level assignment.*

3 FAM 2242.2 Language Training

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. *Career Candidates must show proficiency in at least one foreign language, at the levels prescribed in 3 FAM 2245.7, to be commissioned as Foreign Service Officers. Career candidates who enter the Foreign Service without demonstrated language proficiency will be directed to an assignment in conjunction with intensive FSI language training to achieve this goal. HR/CDA may make such assignment on either the first or second tour.*
- b. *As demonstrated potential, shown through documented performance, is the key criterion for determining tenure, HR/CDA will limit the cumulative amount of time spent in training prior to the start of a candidate's second tour. If a career candidate cannot attain language proficiency in the normally scheduled training period and FSI recommends that the candidate be extended in language training, HR/CDA may extend the training period beyond such limits for officers needing to attain language proficiency for commissioning.*
- c. *Career Candidates should know that supplemental language training to allow a career candidate to attain language proficiency prior to the expiration of the five-year appointment is not automatic. Learning a language and attaining proficiency after initial FSI training are ultimately the individual career candidate's responsibility.*

3 FAM 2242.3 Details and Leave Without Pay

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. As the goal of the Officer Candidate Program is to provide clear evidence of career Foreign Service potential within the time period of the candidate's limited appointment, details, *or assignments outside the Department of State* will generally be avoided except for unusual cases, and then only when content and supervision of the work to be performed would be substantially the same as for a normal officer candidate position in the Department.
- b. Posts may authorize career candidates up to 90 days of leave without pay (LWOP) under certain conditions as provided in 3 FAM 3510. Except for medical reasons, all LWOP requests exceeding 90 days must be referred to HR/CDA. *Because* career candidates are on a five-year limited appointment *that*

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generally cannot be extended, LWOP is not recommended prior to tenure.

3 FAM 2242.4 Supervision

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. At all posts the deputy chief of mission (DCM) or principal officer or, in Washington, the appropriate *office director* or officer of equivalent rank will be responsible for assigning supervisory duties over *entry-level* officer candidates and *ensuring* that they are well trained, and properly counseled and evaluated. In large organizations where the pressure of work makes difficult the conduct of this important responsibility, the DCM or *office director* may designate an appropriate counselor of embassy or *deputy* office director to oversee *entry-level* officer candidate activities.
- b. Notwithstanding this authority to delegate responsibility for the day-to-day management of the officer candidate program, the DCM or *office director* should continue to assure personally that these activities are effectively administered and should remain available to the *officer candidates* for consultation as needed.
- c. Officer candidates will normally be informed of the identity of the supervisory official as soon as practical, but *always* within 45 working days after arrival at post or bureau.

3 FAM 2243 EVALUATION PROCESS

3 FAM 2243.1 Purpose

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. The evaluation process is designed to:
 - (1) Supply the Board with adequate information on which to determine a candidate's fitness for appointment as a Foreign Service Officer;
 - (2) Provide officer candidates with periodic assessments of their performance so that they can better prepare for their careers; and
 - (3) Assist in supplying to the Director General of the Foreign Service the necessary information for making a final judgment on possible early termination of an officer candidate appointment because of unsatisfactory performance of assigned duties (see 3 FAM 2247).
- b. Evaluations also play an important role in determining *entry-level* officer

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candidate promotions, which are based upon satisfactory performance of assigned duties over the prescribed period. *The* major focus of the evaluation process during the *entry-level* officer candidate period should be upon long-term potential, growth capacity, and adaptability to the rigors of a Foreign Service career extending to and including class FS-01.

3 FAM 2243.2 Evaluation of *Entry-Level* Officer Candidates

3 FAM 2243.2-1 Rating and Reviewing Officers

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. Normally, the *entry-level* officer candidate's immediate supervisor will prepare the rating officer portion of the Employee Evaluation Report (EER). *If the supervisor of* an untenured *entry-level* officer is another untenured officer, the principal officer or DCM (or in Washington, the *office director* or equivalent) will at the beginning of the rating period name a tenured officer in line of authority as the rating officer. If, in unusual circumstances, the *entry-level* officer candidate is simultaneously supervised by more than one officer, the principal officer or DCM (or in Washington, the *office director* or equivalent) at the beginning of the rating period will designate one of *the supervisors* as *a* rating officer. The other supervisors may be designated to submit evaluative material in the form of a memorandum, which the rating officer may draw upon in drafting the evaluation.
- b. The DCM, principal officer, or *office director* is expected to exercise personal oversight in *establishing responsibilities* of the *entry-level* officer candidates assigned to the post or bureau and will in most cases be the reviewing officer. When the DCM, principal officer, or *office director* is the immediate supervisor of the *entry-level* officer candidate, the former *must* act as the rating officer only, and the reviewing officer will be the next highest ranking officer with supervisory duties in the mission or organization. In large organizations where supervisory responsibility has been delegated pursuant to section 3 FAM 2242.4, the appropriate counselor of embassy or office *deputy* director may be designated as the reviewing officer in place of the DCM or *office director*.

3 FAM 2243.2-2 Rating Periods

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

Normal Foreign Service rating periods will not apply to *entry-level* officer candidates. Instead, EERs will be prepared on Form DS-1829, on a schedule calculated from the candidate's assumption of specific duties, as follows:

- (1) One year from the date in which the *entry-level* officer candidate assumes specific duties within a post or bureau; and/or
- (2) Upon transfer of the *entry-level* officer candidate from the post or bureau or to other duties within the post or bureau; and/or
- (3) Upon change of immediate supervisor; and/or
- (4) Immediately before scheduled consideration by the Board.

NOTE: No such report is required if the total elapsed period since the prior report is less than *120* calendar days. In unusual circumstances, the Office of Performance Evaluation (HR/PE) may direct more frequent reports.

3 FAM 2243.3 Evaluation of Mid-Level Candidates

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. The performance and potential of mid-level officer candidates are evaluated in accordance with the schedule, procedures, and EER for tenured Foreign Service employees.
- b. Normally, the mid-level candidate's immediate supervisor will prepare the rating officer portion of the EER. *If* an untenured mid-level officer *is* supervised by another untenured officer, the principal officer or DCM (or in Washington, the DAS or officer of equivalent rank) will at the beginning of the rating period name a tenured officer in line of authority as the rating officer.
- c. For a candidate pending review by the Board, HR/PE may request an interim performance appraisal for any period of performance in excess of 60 days.

3 FAM 2244 PROMOTIONS

3 FAM 2244.1 Promotion of *Entry-Level* Officer Candidates

(CT:PER-715; 12-09-2013)

(State Only)

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(Applies to Foreign Service Employees)

- a. *An entry-level* officer candidate will be promoted administratively up to class FS-04 for satisfactory performance, without regard to the candidate's ultimate qualification for tenure appointment as a Foreign Service Officer as determined by the Board. Such promotions will be in accordance with the requirements and procedures of 3 FAM 2320. Promotion beyond FS-04 will not be considered until the candidate has been tenured.
- b. *Entry-level* officer candidates who have been recommended for tenure will be reviewed by the next appropriate selection board if they are otherwise eligible. Whenever time-in-class eligibility rules for promotion consideration would permit one or more candidates in an entering FSI class of *entry-level* officer candidates to be reviewed while rendering ineligible other candidates in the same group at the same level who were appointed slightly later, all candidates in the group at that level recommended for tenure will benefit from the earliest appointment date of those candidates in the group.

3 FAM 2244.2 Promotion of Mid-Level Candidates

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

Mid-level candidates will be considered for promotion by selection boards after serving the requisite time in class required for Foreign Service Officers in their class and occupational category as established in *Selection Board* precepts. They will be reviewed in the same competition group as such officers. A mid-level candidate may not be considered for promotion over the senior threshold until the candidate has been tenured.

3 FAM 2245 COMMISSIONING AND TENURE

3 FAM 2245.1 Policy

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

The decision on whether to tenure a candidate will be made by the Board. The sole criterion for a positive tenuring decision will be the candidate's demonstrated potential, assuming normal growth and career development, to serve effectively as a Foreign Service Officer over a normal career span, extending to and including class FS-01. This criterion will be amplified or more fully expressed in precepts provided for the Board's guidance (see subchapter 3 FAH-1 Exhibit H-2245.3, Precepts for the Foreign Service Officer Commissioning and Tenuring Board).

Because candidates are recruited in response to defined Service needs, no

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numerical limit is placed on the number of positive tenuring decisions by the Board. Candidates' records are reviewed on their merits, not in comparison or competition with one another. Candidates not recommended for tenure will be separated from the Service at expiration of their limited appointment or at an earlier date if so recommended by the Board.

3 FAM 2245.2 Entry-Level Officer Candidates

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. The Board makes its initial judgment regarding *an entry-level* officer candidate's potential as soon as possible after a candidate has served 36 months. A subsequent review for candidates not recommended for tenure on initial review occurs 12 months thereafter. The Board may recommend a third review six months *subsequent* to the *second review*, if it considers *that* additional evaluated experience may lead to a favorable tenuring decision. Successful candidates will be commissioned as Foreign Service Officers and will be granted 27 years from date of entry into the Foreign Service to reach the Senior Foreign Service (time-in-class restrictions apply at classes FS-04 to FS-01).
- b. The Board's decision will in no instance be made before the candidate has attained class FS-04.

3 FAM 2245.3 Members of the Foreign Service Appointed Under the Mustang Program

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

Members of the Foreign Service appointed under the Mustang Program *must* be subject to the same commissioning and tenure process as other *entry-level* officer candidates.

3 FAM 2245.4 Mid-Level Officer Candidates

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. The Board makes its initial judgment regarding a mid-level candidate's potential as soon as possible after a candidate has served 36 months. A subsequent review for candidates not recommended for tenure on initial review occurs 12 months thereafter. The Board will conduct a third review approximately *two*

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months prior to expiration of the candidate's limited appointment if it does not recommend tenuring on second review.

- b. Mid-level candidates who are promoted before tenure will be referred to the next session of the Board for review for career status regardless of the date of their last review and of their period of service. In the case of mid-level candidates whose limited appointments would expire before the next scheduled meeting of the Board, the referral *must* be made in time to permit a decision before the expiration date. In considering for career status a mid-level candidate who has been promoted, the Board *must* accept the candidate's promotion as a prima facie indication that the candidate has demonstrated the potential to serve successfully in a Foreign Service career. If, notwithstanding this presumption, the Board should determine that *the candidate requires* additional experience before *the Board can reach* a decision on career status, the Board *must* prepare a statement setting forth the reasons for its decision. This statement *must* be made available to the candidate *and* to the candidate's Career Development Officer (CDO), and *must* be made part of the Board's permanent record.
- c. Mid-level candidates commissioned as Foreign Service Officers are granted a pro-rated time-in-service (TIS) from date of entry.
- d. TIS limits for tenured mid-level candidates are as follows:

Class of Appointment	TIS Through Class FS-01
FS-01	15 years
FS-02	20 years
FS-03	22 years

3 FAM 2245.5 Uniformed Services Employment and Reemployment Rights Act (USERRA)

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

Boards are advised that the Uniformed Services Employment and Reemployment Rights Act (USERRA) provides that members called to military service are entitled to "the additional seniority and rights and benefits that such a person would have attained if the person had remained continuously employed" at the Department. In light of this mandate, Boards are instructed to weigh carefully and consider military evaluation reports and awards nominations a member provides in connection with the period of time during which such member was on active

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military duty. In this regard, Boards should review carefully any statement submitted by a member concerning the relevance of military service to his or her work in the Foreign Service.

3 FAM 2245.6 Deferral of Board Review

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

Board review will take place in accordance with the provisions and schedule set out in this subchapter. In unusual circumstances, such as unavoidable absence of an evaluation report, recent assumption of new duties, or other conditions *that* would make Board review at the scheduled time inequitable, the candidate may request, or the Department may recommend, that review be deferred until a succeeding session of the Board, rather than *proceeding* with review on schedule with the possibility of denial of tenure and lengthy delay before the next scheduled review. Such deferral may take place only with the concurrence of the Department and the candidate. Subsequent Board reviews will date from the time of actual Board review, but in no case will deferral itself lead to extension of limited appointment or time-in-class.

3 FAM 2245.7 Foreign Language Proficiency

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. No officer candidate may be commissioned until the candidate has demonstrated a proficiency in at least one foreign language, as prescribed in 3 FAM 2730. *In* appropriate cases, the Board may render a favorable tenure decision conditional upon subsequent achievement of the prescribed language rating before the expiration of candidate status. In such cases, the Board's action will not take effect until the *candidate achieves the* required language rating. Candidates who fail to satisfy language probation requirements by the end of their five-year limited appointment will be separated from the Service.
- b. Candidates who are language probationers and who have been recommended for tenure and are subsequently recommended for promotion by a *Selection Board* will not receive such promotion unless they satisfy their language requirement before the convening of the next *Selection Board*. If the officer is not off language probation before the convening of the next board, the officer will re compete for promotion.
- c. *The following list reflects existing language designated positions (LDPs) and may be modified in accordance with the regular LDP review and re-designation process. For each language listed, the first number indicates the necessary minimum score in speaking and the second number indicates the necessary*

UNCLASSIFIED (U)U.S. Department of State Foreign Affairs Manual Volume 3
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<i>Albanian 2/2</i>	<i>Amharic 2/2</i>
<i>Arabic (all variants) 2/1</i>	<i>Armenian 2/2</i>
<i>Azerbaijani 2/2</i>	<i>Bengali 2/2</i>
<i>Bulgarian 2/2</i>	<i>Burmese 2/0</i>
<i>Cambodian (Khmer) 2/2</i>	<i>Chinese (all variants) 2/1</i>
<i>Czech 2/2</i>	<i>Danish 3/3</i>
<i>Dutch/Flemish 3/3</i>	<i>Estonian 2/2</i>
<i>Finnish 2/2</i>	<i>French 3/3</i>
<i>Georgian 2/2</i>	<i>German 3/3</i>
<i>Greek 2/2</i>	<i>Gujarati 2/2</i>
<i>Haitian Creole 3/3</i>	<i>Hausa 2/2</i>
<i>Hebrew 2/2</i>	<i>Hindi 2/2</i>
<i>Hungarian 2/2</i>	<i>Icelandic 2/2</i>
<i>Indonesian 2/2</i>	<i>Italian 3/3</i>
<i>Japanese 2/0</i>	<i>Kazakh 2/2</i>
<i>Korean 2/0</i>	<i>Kurdish 2/2</i>
<i>Kyrgyz 2/2</i>	<i>Lao 2/2</i>
<i>Latvian 2/2Lithuanian 2/2</i>	<i>Macedonian 2/2</i>
<i>Malay 2/2</i>	<i>Mongolian 2/2</i>
<i>Nepali 2/2</i>	<i>Norwegian 3/3</i>
<i>Panjabi/Punjabi 2/2</i>	<i>Pashto 2/1</i>
<i>Persian/Dari/Afghan 2/1</i>	<i>Persian/Farsi/Iranian 2/1</i>
<i>Persian/Tajiki 2/2</i>	<i>Pilipino/Tagalog 2/2</i>

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<i>Polish 2/2</i>	<i>Portuguese 3/3</i>
<i>Romanian 3/3</i>	<i>Russian 2/2</i>
<i>Serbo-Croatian (all variants) 2/2</i>	<i>Singhala/Singhalese 2/2</i>
<i>Slovak 2/2</i>	<i>Slovenian 2/2</i>
<i>Somali 2/2</i>	<i>Spanish 3/3</i>
<i>Swahili 2/2</i>	<i>Swedish 3/3</i>
<i>Tamil 2/2</i>	<i>Telugu 2/2</i>
<i>Thai 2/2</i>	<i>Tibetan 2/1</i>
<i>Turkish 2/2</i>	<i>Turkmen 2/2</i>
<i>Ukrainian 2/2</i>	<i>Urdu 2/2</i>
<i>Uzbek 2/2</i>	<i>Vietnamese 2/2</i>

3 FAM 2245.8 Action by the Director General

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

Upon receipt of the Board's recommendations, the Director General will initiate necessary administrative action to commission employees recommended for tenure by the Board and notify officer candidates not selected for tenure on the last review.

3 FAM 2245.9 Temporary or Permanent Removal of Names From Commissioning and Tenure Lists

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

The Director General may order the temporary exclusion from a tenure list of the name of any candidate if, in the Director General's opinion, commissioning as a Foreign Service Officer would be inconsistent with the national interest or the efficiency of the Service. Such reasons must be based upon either:

- (1) Issues of loyalty, security, misconduct, suitability, or malfeasance; or

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- (2) Indications that documentation available to the Board regarding an employee's performance may have been significantly inaccurate or incomplete.

NOTE: Procedures for temporary or permanent removal of names are found in 3 FAH 1 H-2246.

3 FAM 2246 SEPARATION OF OFFICER CANDIDATES FOR UNSATISFACTORY PERFORMANCE

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

The following applies to all candidates subject to review by the Board.

3 FAM 2246.1 Policy

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

The Officer Candidate Program is designed to permit an on-the-job evaluation of the officer candidate's fitness and aptitude for effective service as a Foreign Service Officer across a normal career span. That judgment normally will be made by the Board as described in 3 FAM 2245. However, in exceptional cases a candidate may, prior to Board review, prove unable to perform assigned duties satisfactorily, including the satisfactory completion of the basic training course, or may fail to meet the standards for a Foreign Service Officer as assessed through basic training. In such circumstances, it serves neither the interest of the Service nor the individual to retain the candidate for the full trial period originally scheduled. In such instances, the Director General will terminate the candidate's appointment without delay, as authorized by section 612 of the Act.

3 FAM 2246.2 Procedures

3 FAM 2246.2-1 Entry-Level Officer Candidates

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. In accordance with the schedule in 3 FAM 2244, the EER is submitted to HR/PE and reviewed for compliance and adequacy. Upon receipt of *an* EER in which the candidate's performance is rated as unsatisfactory, HR/PE will refer the

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case to the Director General for review. *No* post or bureau will submit an unsatisfactory report on a candidate unless the candidate *received* notice in writing of the areas of performance *that* are deficient and *had* a reasonable opportunity to demonstrate satisfactory performance. A period of 60 days ordinarily will be sufficient to demonstrate needed improvement, but a lesser period may suffice. An unsatisfactory rating cannot be made unless the member has been given a reasonable opportunity (ordinarily 30-60 days) and adequate guidance to remedy deficiencies.

- b. Upon being advised by the Director, HR/PE, that a candidate's service has been rated unsatisfactory, the Director General will:
 - (1) Advise the candidate in writing of this decision and grant a period of at least 10 working days for the candidate to offer comment on that finding; and
 - (2) Conduct further review or inquiry regarding the candidate's performance as the Director General may deem appropriate. All material generated by such a review or inquiry or otherwise considered by the Director General will be made available to the candidate, who will be granted a period of *ten* working days from receipt of such material in which to offer comment.
- c. Upon completion of the above procedures, the Director General will review all relevant and admissible material on file regarding the candidate's performance and will do one of the following:
 - (1) Advise the candidate that the finding of unsatisfactory performance has been changed to satisfactory, and initiate action to ensure that all personnel records reflect this determination; or
 - (2) Direct that the candidate be separated from the Service under section *612* of the Act; or
 - (3) Withhold judgment regarding possible action for a specified period of further on-the-job observation. The post or bureau must submit to HR/PE the EER immediately following the additional period stating either that the candidate's performance is satisfactory or unsatisfactory. The Director General will readdress the question based on overall performance history at that date.
- d. When ordering separation under this section, the Director General will set the effective date, which may be no less than 30 days following notification of that action, excluding travel time required to return to Washington, DC, if abroad.

3 FAM 2246.2-2 Mid-Level Candidates

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

- a. Ordinarily, the determination of unsatisfactory performance will be made by the

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rating and reviewing officers only in connection with a normally established performance appraisal period (see 3 FAM 2810 for regulations governing submission of annual and interim reports and 3 FAM 2244 for additional reports that may be required by HR/PE for mid-level candidates). *When* at any time after a reasonable opportunity for experience in a new position a mid-level candidate's performance is judged clearly unsatisfactory, the supervisor in consultation with the chief of mission or other reviewing officer may, if the situation warrants, advise the candidate in writing of the unsatisfactory determination and the reasons for the decision. *The* candidate *will have 60 days* to raise performance to a satisfactory level. In such cases, if the candidate's performance after the 60-day warning period is unsatisfactory, the post or bureau must immediately submit a full performance appraisal on the prescribed Department form to HR/PE documenting that performance is unsatisfactory. The report should be prepared and submitted in accordance with 3 FAM 2810. Upon receipt of the report, HR/PE will refer the case to the Director General for review.

- b. Upon being advised by the Director, HR/PE, that a candidate's service has been rated unsatisfactory, the Director General will:
 - (1) Advise the candidate and grant a period of at least 10 working days for the candidate to offer comment on that finding; and
 - (2) Conduct such further review or inquiry regarding the candidate's performance as the Director General may deem appropriate. All material generated by such a review or inquiry or otherwise considered by the Director General will be made available to the candidate, who will be granted a period of 10 working days from receipt of the material in which to offer comment.
- c. Upon completion of the above procedures, the Director General will review all relevant and admissible material on file regarding the candidate's performance and will do one of the following:
 - (1) Advise the candidate that the finding of unsatisfactory performance has been changed to satisfactory, and initiate action to assure that all personnel records reflect this determination; or
 - (2) Direct that the candidate be separated from the Service under section *612* of the Act; or
 - (3) Withhold judgment regarding possible action for a specified period of further on-the-job observation. During that additional period, the Director General may direct a special monitoring of the candidate's performance, possibly to include preparation of evaluation reports at more frequent intervals than otherwise prescribed. Upon expiration of the period, the Director General will readdress the question based on overall performance history at that date.
- d. When ordering separation under this section, the Director General will set the

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effective date, which may be no less than 30 days following notification of that action, excluding travel time required to return to Washington, DC if abroad.

3 FAM 2247 PROCEDURES AND GUIDELINES

(CT:PER-715; 12-09-2013)

(State Only)

(Applies to Foreign Service Employees)

Procedures and guidelines which implement these regulations are published in 3 FAH-1 H-2240.

3 FAM 2248 AND 2249 UNASSIGNED